

69-212	OVERPAYMENT/UNDERPAYMENT ADJUSTMENTS AND FRAUD REFERRALS	69-212
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The methods outlined in CalWORKs regulations concerning the recoupment of overpayments, the correction of underpayments and the procedures concerning fraud shall be followed in RCA.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553 and 10554, Welfare and Institutions Code; and 45 CFR Section 400.52.

69-213	UNACCOMPANIED REFUGEE MINORS	69-213
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- .1 An unaccompanied refugee minor is a refugee who:
 - .11 Meets the age requirements of MPP Section 42-101.1.
 - .12 Entered the United States unaccompanied by and not destined to:
 - .121 A parent or;
 - .122 A close nonparental adult relative who is willing and able to care for the child, or;
 - .123 An adult with a clear and court-verifiable claim to custody of the minor who has no parent(s) in the United States.
 - .13 Has no parent(s) in the United States.
- .2 An unaccompanied minor continues to meet the criteria for unaccompanied minor and is eligible for child welfare services and foster care payments until the minor:
 - .21 Is reunited with a parent; or
 - .22 Is united with a nonparental adult, either relative or nonrelative, willing and able to care for the child to whom legal custody and/or guardianship is granted under state law; or
 - .23 No longer meets the age requirements of MPP Section 42-101.1.
- .3 Procedures for establishing legal responsibility for the unaccompanied minor with an appropriate court, if action by a court is required, shall be initiated by the CWD within 30 days after the minor arrives at the location of resettlement.
- .4 Responsibility for the care, custody and control of unaccompanied refugee minors shall be established under Welfare and Institutions Code Section 300 or Probate Code Sections 1500 or 1501.

69-213	UNACCOMPANIED REFUGEE MINORS (Continued)	69-213
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- .5 Placement of unaccompanied refugee minors in foster care shall be made in accordance with Foster Care regulations, Division 30 of the MPP, and eligibility for foster care payments shall be made in accordance with MPP Division 45, Chapter 200.
- .6 In addition to the case planning requirements of Division 30, the CWD shall plan for the provision of the following services to unaccompanied minors.
- .61 Orientation, assessment, and counseling to facilitate the adjustment of the child to American culture; and
- .62 Preparation for participation in American society with special emphasis on English language instruction and occupational as well as cultural training as necessary to facilitate the child's social integration and to prepare the child for independent living and economic self-sufficiency.
- .63 Preparation of Refugee and Entrant Unaccompanied Minor Placement Report, ORR-3 (10/86), and annual Refugee and Entrant Unaccompanied Minor Progress Report, ORR-4 (10/86), to be sent to CDSS for the purpose of aiding family reunification.
- .631 The CWD shall send to CDSS:
- (a) The initial ORR-3 within 30 days of the minor's placement in the county.
- (b) An ORR-4 every 12 months beginning with 12 months from the date of the initial ORR-3.
- (c) An ORR-3 within 60 days of the date that:
- (1) The minor's placement is changed;
- (2) Legal responsibility of any kind for the minor is established or transferred; or
- (d) A final ORR-3 within 60 days of the date that the minor:
- (1) Is reunited with a parent; or
- (2) Is united with a non-parental adult (relative or non-relative) to whom legal custody, guardianship, or adoption is granted under state law and who is willing and able to care for the minor; or
- (3) Is emancipated.
- .7 After the initial placement of an unaccompanied minor, the procedures for interstate movement, MPP Section 30-366, that govern the movement of non-refugee foster care cases to other states also apply to the movement of unaccompanied minors to other states.

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- .8 Unaccompanied refugee minor cases shall be claimed under RCA. The time limit applicable to RCA cases required in Section 69-202.41 does not apply.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553 and 10554, Welfare and Institutions Code, and 45 CFR Part 400, Subpart H - Child Welfare Services.

69-214	TERMINATION OF AID	69-214
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Aid payments to refugees under the RCA program shall be discontinued in accordance with CalWORKs regulations and under the following circumstances except that the number of hours worked shall not be a basis for termination:

- .1 A sponsor is meeting the full needs of the refugee or refugee family, in accordance with CalWORKs standards of assistance.
- .2 A refugee marries a United States citizen or other non-refugee, including a time-expired refugee, who is able to meet the refugee's needs. In these circumstances, aid shall be discontinued for the refugee parent. Aid for the minor child(ren) in the assistance unit shall be continued unless the United States citizen or other nonrefugee stepparent is able to meet all needs of the child(ren) in accordance with CalWORKs standards of assistance.
- .3 A refugee becomes time-expired (per Section 69-205.21), or otherwise loses refugee status.
- .4 A refugee fails to meet, without good cause, the registration, employment and educational/training requirements (see Section 69-207).